

REMARKS

1. Applicant thanks the Examiner for his remarks and observations, which have greatly assisted Applicant in responding.

2. **35 U.S.C. § 103**

Claims 1-2, 11-12 and 21-22 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. patent no. 6,529,267 ("Glerum") in view of U.S. patent no. 6,185,701 ("Marullo") and further in view of U.S patent no. 6,918,066 ("Dutta") Applicant respectfully disagrees.

The Office relies on Dutta, col. 7, lines 23-35 and lines 50-65 as teaching or suggesting "wherein a representation of rendering results of a browser program comprises and internal representation of a web page as interpreted by the browser program. As Applicant has previously argued, the scorecard parameters described represent performance criteria for the web page:

"The next step 62 is to establish the rules to generate a scorecard for evaluating a web site." Col 8, lines 32-33;

"This scorecard will be the criteria on which the web site will be evaluated for effectiveness on the different web browsers chosen by the web designer." Col. 8, lines 33-36; and

"This step also evaluates the web page for each selected browser using the scorecard rules generated in step 62." Col 8, lines 43-44.

Furthermore, during the evaluation process,"[t]he web designer will have an opportunity to edit the web page if the designer is not satisfied with the web design." Col. 8, lines 52-53.

In spite of the foregoing, in order to describe the claimed subject matter more clearly, Applicant amends claim 1 to describe:

"generating a list of URLs (Universal Resource Location) using a web

crawler;

applying a browser test script, wherein said browser test script automatically instructs a first browser program containing said browser software to load and render web pages according to the list of URLs, wherein said browser test script tests said browser software over a plurality of applications at
5 sites contained within the list of URLs;

"detecting one or more errors in rendering of said first browser program using the web pages by comparing a representation of rendering results of the first browser program to a representation of rendering results of a second browser program, wherein a representation of rendering results of a browser
10 program comprises an internal representation of a web page by the browser program, wherein the internal representation includes a list of objects to be displayed for the web page and the attributes of the objects and wherein the attributes and the objects that are uniquely defined by the web page are compared to ensure that there is no glitch in interpreting the information defining
15 the web page; and

wherein one or more errors are detected when the representation of rendering results of the first browser program does not match the representation of rendering results of the second browser program; and

"automatically storing information about said one or more errors;

wherein said step of applying a browser test script is performed while said first browser program is under development and prior to distribution."

20 Support for the amendment is found at ¶ 0036 of U.S. patent application publication no. 2005/0177597:

"In one embodiment, the internal representation includes a list of objects to be displayed for the web page and the attributes of the objects. The list of objects and their attributes are derived from the web page. The attributes and the
25 objects that are uniquely defined by the web page are compared to ensure that there is no glitch in interpreting the information defining the web page."

There is no teaching or suggestion in the combination of an internal representation of a web page as described in amended claim 1. As above, Dutta describes a scorecard, but as Applicant steadfastly maintains, Dutta's score card constitutes a set of performance criteria for a web page. It has nothing with browser errors. Even if it could be said that Dutta's scorecard constituted a catalog of browser errors, there is no teaching or suggestion that the scorecard includes a listing of the objects in a page together with a listing of the objects' attributes. Glerum and Marullo add nothing to Dutta. The present rejection is therefore deemed overcome. Claims 11 and 21 are amended in similar fashion to claim 1. Claims 11 and 21 are therefore deemed allowable for the same reasons that claim 1 is allowable.

In view of their dependence from allowable parent claims, the dependent claims are deemed allowable without any separate consideration of their merits. Nevertheless, Applicant has the following comments regarding the dependent claims:

Claims 7, 17, and 27 are rejected as being unpatentable over Glerum in view of Marullo and further in view of Dutta and further in view of Castro. Applicant respectfully disagrees. Castro has nothing to do with an internal representation of a web page. Rather Castro is describing web page attributes as they are found in the source code for the page. Accordingly, even if the parent claims had not been amended, the present rejection would be improper.

Claims 8, 18 and 28 are rejected as being unpatentable over Glerum in view of Marullo and further in view of Dutta and further in view of U.S patent no. 6,865,592 ("Shindo"). In view of the foregoing, the present rejection is deemed overcome.

3. The above amendments are made to describe the invention more clearly for expediency's sake, in deference to the Office policy of compact prosecution. They do not constitute agreement with the Examiner's position; nor do they indicate intention to sacrifice claim scope. Applicant expressly reserves the right to pursue patent protection of a scope it reasonably believes it is entitled to in one or more further submissions to the USPTO.

4. For the record, Applicant respectfully traverses any and all factual assertions in the file that are not supported by documentary evidence. Such include assertions based on findings of inherency, assertions based on official notice, and any other assertions of what is well known or commonly known in the prior art.

CONCLUSION

- 10 In view of the foregoing, the application is deemed to be in allowable condition. Applicant therefore requests reconsideration and prompt allowance of the claims. Should the Examiner have any questions concerning the Application, he is urged to contact Applicant's attorney at (650) 474-8400.

Respectfully submitted,

15



Michael A. Glenn

Reg. No. 30,176

Customer No. 22862